

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chain, et al. Art Unit : 1645
Serial No. : 09/731,899 Examiner : Rodney P. Swartz
Filed : December 8, 2000 Conf. No. : 1183
Title : CHIMERIC PEPTIDES AS IMMUNOGENS, ANTIBODIES THERETO, AND
METHODS FOR IMMUNIZATION USING CHIMERIC PEPTIDES OR
ANTIBODIES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER REGARDING PATENT TERM ADJUSTMENT

The Patent Term Adjustment (PTA) calculation included in the Notice of Allowance mailed August 5, 2010, for the above-referenced application indicates the PTA is 1133 days. This PTA may be longer than appropriate.

In good faith and candor, Applicants direct the Office's attention to a Notification of Co-Pending Applications filed in July 2007, for which no Applicant Delay was assessed. Applicants respectfully submit that, pursuant to 37 C.F.R. 1.704(c)(8), an Applicant Delay of 10 days should have been accorded for the period beginning on June 27, 2007 (the day after the date the initial reply was filed) and ending on July 6, 2007 (the date the supplemental reply was filed).

Applicants believe that no fee is due at this time. Any fees that may be due, however, may be applied to Deposit Account No. 06-1050.

Respectfully submitted,

Date: November 5, 2010

/Mitchell Bernstein, Reg. No. 46,550/

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CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: November 5, 2010.